



**WASHINGTON STATE
OFFICE OF PUBLIC DEFENSE**

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TO: City Officials and Municipal Court Judges

FROM: Joanne Moore, Director

DATE: October 3, 2006

RE: Procedure for applying for public defense city grants

Pursuant to legislative appropriation passed in 2006, the Washington State Office of Public Defense (OPD) is offering grants to cities, for the purpose of improving the quality of public defense services. RCW 10.101.050 authorizes OPD to award grants to up to five cities. This year the total amount available is approximately \$300,000.

Applications for city grants are due on **November 17, 2006**. Incorporated cities may apply for grants. OPD plans to disburse funds by December 1, 2006, for use by the selected cities through the end of the 2007 calendar year. An application form is enclosed. A copy of this application form may be found at www.opd.wa.gov. Application materials submitted in hard copy should be three-hole punched. Alternatively, application materials may be submitted as an email attachment. (No faxes please.)

Under the statute, funds must be used to make appreciable demonstrable improvements in the delivery of public defense services. Some jurisdictions have considered using the funds to add a part-time attorney to represent indigent defendants at first appearance/arraignment calendars, to provide additional attorneys to lower caseloads or to increase attorney compensation. It is anticipated that usage of these funds will ordinarily be determined in consultation with the courts and public defense attorneys.

Chapter 10.101 RCW also identifies necessary future improvements in public defense, including that city contracts provide funding for court-ordered expert and investigator costs and for compensation as ordered by the court for extraordinary cases; and that cities set up a valid method for appointing conflict counsel. See RCW 10.101.060. Many city public defense contracts already meet these requirements.

For information regarding the improvement of public defense services or this application, contact OPD Public Defense Services Managers George Yeannakis, Rafael Gonzales, or Terry Mulligan:
george.yeannakis@opd.wa.gov, rafael.gonzales@opd.wa.gov, or terry.mulligan@opd.wa.gov; 360-586-3164 ext. 102 (George and Rafael), or ext. 110 (Terry).

We look forward to working with you to improve public defense services in Washington State.

Washington State Office of Public Defense

Application for Public Defense City Grants

Pursuant to Chapter 10.101 RCW

City _____ Contact name/title _____

Mailing address _____

Phone _____ Email _____

NOTE: Applications are due November 17, 2006. If for some reason the city needs additional time, please contact OPD to request an extension.

1. In 2005, the city paid indigent defense expenses as follows:

Total dollar amount spent on indigent defense:		
1A. Amount spent on attorney salaries and benefits, contract attorney amounts including conflict attorneys, and investigators:		
1B. Amount spent on experts and other indigent defense costs:		

2. in 2005, attorneys providing indigent defense representation had the following caseloads:

	Number of cases filed as reported to the Administrative Office of the Courts	Number of cases assigned to public defense attorneys	Number of attorneys with public defense contracts (or on court's appointment list)
Adult misdemeanors and gross misdemeanors			

3. The city will use public defense city grant funding for the following purpose:

4. If the city has public defense contracts, fill out the Table of Public Defense Contracts (Table I), and provide a copy of each current contract in alphabetical order by attorney name. (If possible, please provide scanned copies of contracts, by CD or email attachment. Hard copies are acceptable.)

5. If the court appoints public defense attorneys from a list, provide the name of each attorney and the compensation paid per case or per hour in the Table of List-Appointed Public Defense Attorneys (Table II).

6. Prior to or upon receipt of Chapter 10.101 RCW public defense funds, the city will require that all indigent defense attorneys attend OPD-approved training at least once per calendar year. Yes () No ()

7. Prior to or upon receipt of Chapter 10.101 RCW public defense funds, the city will require that all private attorneys who contract to provide public defense services begin to report their “hours billed for nonpublic defense legal services . . . including number and types of private cases.” (RCW 10.101.050) Yes () No ()

8. The city has adopted a public defense ordinance, which is attached; or, the city is aware that under RCW 10.101.030, an ordinance addressing public defense standards must be adopted. Yes () No ()

9. Certification

I declare under penalty of perjury under the laws of the State of Washington that the foregoing information is true and correct.

Signature

Date

Printed Name

Title

Place

Washington State Office of Public Defense
Table I: Public Defense Contracts

Name of attorney/firm	Number of Misdemeanor/Gross Misdemeanor cases per contract	Method and Rate of Payment (per case/per hour, etc.)	Conflict cases only? Yes/No (If yes, list payment)

Washington State Office of Public Defense
Table II: List-Appointed Public Defense Attorneys

Name of Attorney/Firm	Method and Rate of Payment (per case/per hour, etc.)